

PROPOSED

BYLAWS OF THE

COMMUNITY CRIMINAL JUSTICE

BOARD (CCJB)

OF

FAIRFAX COUNTY AND FAIRFAX

CITY, VIRGINIA

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ARTICLE I: AUTHORITY (ORGANIZATION)

In October 1995, a joint resolution of the governing bodies of the County of Fairfax and the City of Fairfax established a multi-jurisdictional community criminal justice board called the Fairfax Community Criminal Justice Board (CCJB). The Fairfax CCJB was established pursuant to the Comprehensive Community Corrections Act (CCCA), Virginia Code Sections 53.1-180 et seq. and the Pretrial Services Act, Virginia Code Sections 19.2-152.2, et seq.

The CCJB also serves as the Juvenile Crime Enforcement Coalition (JCEC) required under Federal guidelines of the Office of Juvenile Justice and Delinquency Prevention for block grant funding from the Juvenile Accountability Incentive Block Grants Program (JAIBG). The JAIBG program is authorized by Congress and administered through the Department of Juvenile Justice Services for the Commonwealth of Virginia.

ARTICLE II: NAME

The name of this Board shall be the Fairfax Community Criminal Justice Board, hereinafter referred to as the CCJB.

ARTICLE III: PURPOSE

It shall be the purpose of the CCJB to enhance the ability of the County of Fairfax and the City of Fairfax to develop pretrial court services community-based corrections programs, juvenile accountability and other criminal justice programs. These programs shall be consistent with the Comprehensive Community Corrections Act (CCCA), the Pretrial Services Act (PSA), or the Juvenile Accountability Block Grant (JAIBG) Program, as applicable. The CCJB shall hold foremost the interests and concerns of citizens of Fairfax County and the City of Fairfax. It shall assist the appropriate County and City officials, including the Board of Supervisors and City Council, in matters affecting the criminal justice system, especially in making recommendations for improvements and innovations, and enhancing the quality and availability of services. It shall facilitate local involvement and flexibility in responding to the problem of crime in the communities served. It shall also review the submission of all criminal justice grants as required by law.

ARTICLE IV: MEMBERSHIP OF THE FAIRFAX COMMUNITY CRIMINAL JUSTICE BOARD

The membership of CCJB shall be:

1. A member of the Fairfax County Board of Supervisors, the County Executive or an executive or assistant or deputy of the County Executive appointed by the governing body;
2. A member of the Fairfax City Council, the City Manager, or an executive or assistant or deputy to the City Manager appointed by the governing body;
3. A Judge nominated by the Chief Judge of the Circuit Court of the Nineteenth Judicial District;

4. A judge nominated by the Chief Judge of the General District Court for the Nineteenth Judicial District
5. A judge nominated by the Chief Judge of the Juvenile and Domestic Relations District Court for the Nineteenth Judicial District
6. The Chief Magistrate for the Nineteenth Judicial District
7. The Commonwealth's Attorney for the Nineteenth Judicial District
8. The Public Defender for the Nineteenth Judicial District
9. The Sheriff for the Nineteenth Judicial District
10. The Clerk of the Circuit Court of the Nineteenth Judicial District
11. The Clerk of the General District Court of the Nineteenth Judicial District
12. The Clerk of the Juvenile and Domestic Relations District Court of the Nineteenth Judicial District
13. The Chief Probation and Parole Officer of the Nineteenth Judicial District
14. A representative nominated by the Fairfax-Falls Church Community Services Board.

The Agreement between the City and the County specifies that Fairfax City may appoint as many as three additional members to the CCJB, one of which shall be the Chief of Police and one shall be a representative of local education.

Fairfax County may appoint as many as seven additional members, one of which shall be the Chief of Police of Fairfax County and one shall be a representative of local education. The Chair and Vice-chair of the Criminal Justice Advisory Board also serve as appointments of Fairfax County. The remaining are citizen appointments

The total membership of the CCJB is twenty-four.

Members of the CCJB may send an alternate if unable to attend a meeting. An alternate is not required.

ARTICLE V: MEETINGS

Section 1. Regular Meetings: Regular meetings of the CCJB, open to the public, shall be held the fourth Thursday of each month, unless determined otherwise by the CCJB. Meetings, unless otherwise specified, shall be held in the Fourth Floor Judge's Conference Room of the Fairfax County Courthouse. Notification of regular meetings shall be made by first class mail; County Courier, fax or electronic mail as specified by the individual member. The Chair may cancel regular meetings. The CCJB will be in recess during July and August unless the Chair determines a meeting is needed to address urgent business.

Section 2. Special Meetings: Special meetings may be called by the Chair or by a written request from a member. Notice of such meetings shall be mailed by first class mail to all of the members at least five days in advance.

Section 3. Executive sessions of the CCJB to consider legal and/or personnel matters shall be held only when authorized by the Virginia Freedom of Information Act

and only after an affirmative vote on a motion that specifies the purpose for closing the meeting.

ARTICLE VI: OFFICERS AND COMMITTEES

Section 1. Officers

- (a) Chair of the CCJB: The Chair shall be elected at the September meeting from the membership of the CCJB for a term of two years or until the Chair is vacated, whichever shall occur first. The Chair is responsible for presiding over the Board meetings and Executive Committee meetings. The Chair shall serve until such time as a successor is elected.
- (b) Vice-Chair of the CCJB: The Vice-Chair shall be elected at the September meeting from the membership of the CCJB for a term of two years or until the Vice-Chair is vacated, whichever shall occur first. The Vice-Chair is responsible for presiding over the Board meetings and Executive Committee meetings in the absence of the Chair. The Vice-Chair shall serve until such time as a successor is elected.

Section 2. Committees

- (a) Standing Committees: The CCJB may establish as many standing committees as may be required to perform its functions. Each standing committee shall have as its Chair a member of the CCJB, but the membership of the committees may include persons who are not members of the CCJB.
- (b) Ad Hoc Committees: Ad hoc or temporary committees may be needed from time to time. Each ad hoc committee shall have as its Chair a member of the CCJB, but the membership of the committees may include persons who are not members of the CCJB.
- (c) Nominations Committee: A Nominations Committee for election of the Chair and Vice-Chair will be appointed by the Chair (or in the Chair's absence, the Vice-Chair), when needed. The Nominations Committee shall consist of no more than four members of the CCJB and shall convene for no more than 60 days to prepare and make nominations to the CCJB. After voting has occurred on the nominees for Chair and Vice-Chair, the Nominations committee shall be disbanded without need of further CCJB action.

ARTICLE VII. ORDER OF BUSINESS

Section 1. Order of Business: The order of business shall be specified in the agenda that shall be distributed five days in advance of the meeting via mail, county courier, electronic mail, hand delivery, or FAX.

Section 2. County Staff Participation: County Staff members may be invited to participate at any time during the proceedings of the CCJB or its Committee meetings when such participation might assist the CCJB or Committee in deliberations.

Section 3. Invited Guest Participation: Invited guests or members of Committees may be asked to participate in CCJB or Committee meetings at any point in the order of business, when the remarks of the guest(s) might assist the CCJB or its Committee in deliberations. Other visitors to CCJB or committee meetings may, at the discretion of the Chair, be invited to speak at the appropriate point in the agenda.

ARTICLE VIII: VOTING

Section 1. A majority of CCJB members present and voting at a CCJB or Committee meeting is necessary for the passage of any action not otherwise provided for in these by-laws. A majority is defined as any number greater than one-half.

Section 2. Voting of the CCJB and its Committees shall normally be by voice. However, in every case where a vote other than a simple majority is required for passage, the vote shall be by the show of hands. The vote of any member will be recorded in the minutes at the request of the member.

Section 4: Alternates shall be eligible to vote and may fully participate on behalf of the member they represent.

Section 5: Pursuant to Judicial Ethics Advisory Committee Opinion 00-2 of the Commonwealth of Virginia (Issued February 1, 2000), judges serving on the CCJB "...should not vote nor actively participate in any deliberations relating to the placement, diversion, revocation, or alteration of probation of any offender appearing before the board or before the court upon which such judge sits, nor should the judge vote or participate in any deliberations relating to the financial well being of any state, federal, or locally funded program which would give the appearance of compromising his or her impartiality."

ARTICLE IX: POLICIES

Section 1. Statements of policy or position may be adopted from time to time by a majority of CCJB members present and voting. A copy of such policy or position statement shall be furnished to each member of the CCJB at the next regular meeting following adoption.

Section 2. The Chair shall ensure that new members of the CCJB receive a complete set of current CCJB by-laws, copies of the Comprehensive Community Corrections Act and Pretrial Services Act, information on the Juvenile Accountability Incentive Block Grant Program, and a list of the current membership of the CCJB.

ARTICLE X: RULES OF PROCEDURE

Roberts Rules of Order, Newly Revised (9th Edition, 1990), shall control the proceedings of the CCJB and its Committees in all cases to which they are applicable, and in which they are not inconsistent with these by-laws, the Code of Virginia, or the Codes of the City of Fairfax or the County of Fairfax, Virginia.

ARTICLE XI: SUSPENSION OF POLICIES AND PROCEDURES

Section 1. Established policies and/or positions may be suspended pro tempore by the vote of a majority of CCJB members present and voting at a CCJB meeting.

Section 2. The provisions of Article VIII may be suspended pro tempore by the unanimous vote of members present at the meeting of the CCJB or a committee. No other provisions of these by-laws may be suspended.

Section 3. The suspension of any rule, policy, position or portion of these by-laws may not extend beyond the call to order at the next meeting of the CCJB or Committee. Any action taken during such suspension shall remain in effect until changed or rescinded by subsequent action of the CCJB or initiating Committee.

ARTICLE XII: AMENDMENTS

Section 1. These by-laws may be amended at the regular meetings of the entire CCJB by vote of not less than three-fourths (3/4) of the members of the current total membership. A copy of the proposed amendment(s) shall be submitted to each member in writing not less than two full weeks prior to the meeting and introduced and seconded as an order of new business.

Section 2. Amendment(s) to these by-laws shall be moved and seconded. In such instance, final action may be postponed until the next regular meeting. A copy of the proposed amendment(s) must be furnished to each member by the proponent, following the procedures and time constraints prescribed in Section 1 of this Article. Failure to comply with these requirements will be considered as the withdrawal of the amendment(s) to the bylaws.

Section 3. When a proposed amendment has been postponed under the provisions of Section 2 or 3 of Article XII, amendment(s) to the proposed amendment(s) may be offered before the next meeting. Utilizing the procedures and time constraints prescribed in Section 1 of Article XII. Such proposed amendment(s) to the amendment(s) must also be moved and seconded when the proposal is considered as an item of old business at the next meeting. No additional amendment(s) may be proposed at the meeting.

ARTICLE XIII. STAFF

A single position of Management Analyst III shall provide direct staff support to the CCJB, with clerical support from the Secretary to the Sheriff. This position has historically been funded by the General Fund and located in the Office of the Sheriff. The Office of the Sheriff has provided both fiscal and administrative services (budgeting, payroll, office space, supervision, etc). The Sheriff shall provide direct supervision of this position.

ARTICLE XIV: CONFLICT OF INTEREST

Section 1. A CCJB member shall not benefit financially from Board membership. CCJB members should not sit as executive directors of any private agency providing community corrections services.

Section 2. Judicial membership of the CCJB is mandated by the Code of Virginia and is considered to be essential for the improved operation of the local criminal justice system. The Department of Criminal Justice Services advises that the CCJB functions as an advisory and policy board and does not participate in the direct operation of local programs that would create a conflict for judges.